REMARKS/ARGUMENTS

Claims 1-25 are pending in this Application.

Claims 1, 11, 18, and 25 are currently amended. Applicants submit that support for the claim amendments and the newly added claims can be found throughout the specification and the drawings.

Claims 1-25 remain pending in the Application after entry of this Amendment. No new matter has been entered.

In the Office Action, claims 1, 10-12, 18, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application No. 2001/0021928 (hereinafter "Ludwig"), in view of U.S. Patent Application No. 2001/0039545 (hereinafter "Nishizawa), in view of U.S. Patent No. 7,039,807 (hereinafter "Spitz"), and in view of U.S. Patent Application No. 2003/0078880 (hereinafter "Alley"). Claims 2, 3, 7, 16, 17, 23, and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ludwig, Nishizawa, Spitz, Alley, and in view of U.S. Patent No. 7,146,500 (hereinafter "Hawkins"). Claims 4-6, 13-15, and 20-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ludwig, Nishizawa, Spitz, Alley, and in view of U.S. Patent No. 6,584,459 (hereinafter "Chang"). Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ludwig, Nishizawa, Spitz, Alley, Hawkings, and in view of U.S. Patent Application No. 2002/0040431 (hereinafter "Kato"). Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ludwig, Nishizawa, Spitz, Alley, in view of U.S. Patent No. 7,093,133 (hereinafter "Hopkins"). Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ludwig, Nishizawa, Spitz, Alley, and Chang.

Claim Rejections Under 35 U.S. C. § 103(a)

Applicants respectfully traverse the rejections to claims 1-25 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) based on Ludwig, Nishizawa, Spitz, Alley, Chang, Kato, and Hopkins. The Office Action alleges that claimed invention is directed to obvious subject matter, in that the combination of Nishizawa, Spitz, Alley, Chang, Kato, and Hopkins expressly or impliedly disclose or suggest the claimed invention. The Office Action further alleges that one of ordinary skill in the art would have

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found the claimed invention to have been obvious in light of the teachings of Nishizawa, Spitz, Alley, Chang, Kato, and Hopkins.

Applicants, however, respectfully submit that a prima facie case of obviousness has not been established by the evidence presented in the Office Action. As reiterated by the Supreme Court in KSR International Co. v. Teleflex Inc. (KSR), 550 U.S. ___, 82 USPQ2d 1385 (2007), the framework for the objective analysis for determining obviousness under 35 U.S.C. § 103 is stated in Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966). The factual inquiries enunciated by the Court are as follows:

(A) Determining the scope and content of the prior art;

(B) Ascertaining the differences between the claimed invention and the prior art; and

(C) Resolving the level of ordinary skill in the pertinent art.

To reach a proper determination under 35 U.S.C. § 103(a), the Examiner must step backward in time and into the shoes worn by the hypothetical "person of ordinary skill in the art" when the invention was unknown and just before it was made. In view of all factual information, the Examiner must then make a determination whether the claimed invention "as a whole" would have been obvious at that time to that person. (M.P.E.P. § 2142).

Applicants respectfully submit that Nishizawa, Spitz, Alley, Chang, Kato, and Hopkins, either individually or in combination, fail to disclose one or more of the claim limitations recited in each of claims 1-25. These differences, along with other difference, establish that the subject matter as a whole of claims 1-25 would not have been obvious at the time of invention to a person of ordinary skill in the art.

In some industries, a process can be viewed as a pre-defined method of producing goods. Such processes typically include several events and sub-events where an event is an operation or group of operations to be performed to accomplish a task. (Application: Paragraph [0029]). The execution of events such as these are time, material and resource sensitive. Organizations often desire to track the execution of events to make sure that the event has been completed as required by the process that the event is part of. To achieve this, checkpoints can be implemented at each event or sub-event to keep track of information such as: what is the

event? who initiated the event? when was it initiated? who authorized the event? when was it completed? who confirmed the event completion? etc. (Application: Paragraph [0029]).

  This information can be captured electronically and stored in a database so that it can be subsequently retrieved using query based user interfaces or reports. (Application: Paragraph [0030]). Embodiments of the invention allow a company or other organization to compile and store electronic records that track various events defined by the company. Embodiments also allow electronic signatures to be captured and linked with their respective electronic data records so that the electronic signatures to be kept as part of a data record's audit trail. (Application: Paragraph [0030]).

  Amended claim 1, for example, recites the feature of "automatically creating an electronic record from data stored in a plurality of different database tables associated with execution of one or more operations in the set of operations in response to the occurrence of the predetermined event." As recited in amended claim 1, the predetermined event is defined to represent a set of operations to be performed to accomplish a task. An electronic record is automatically generated when the event occurs from data in a plurality of database tables associated with execution of one or more operations for the event.

  Ludwig, however, fails to disclose the above recited feature of amended claim 1. Ludwig fails to disclose that an electronic record is created from data stored in a plurality of database tables as recited in amended claim 1. Ludwig discloses that when an employee 62 requests a transaction 40 from TAM 2, an HTML representation 64 if details 66 of transaction 40 is requested from DDD 70. DDD 70 then returns HTML representation 64 to TAM 2, which returns the HTML representation to requester 42 (or employee 62). (Ludwig: Paragraph [0045]). Ludwig then discloses on page 4, in the upper middle of paragraph [0045], that requester 42 views the HTML representation 64 and completes the transaction details 66. Ludwig does not mention whether HTML representation 64 is created from data stored in a plurality of database as the electronic record recited in amended claim 1. Furthermore, the user completes the detail section of HTML representation 64, and thus is not created automatically as the electronic record recited in amended claim 1. Ludwig states in paragraph [0054] that most of transaction details 66 are simply placeholders for information to be supplied by requester 42.

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Moreover, Ludwig fails to disclose that the data stored in the plurality of database tables as recited in amended claim 1 is associated with execution of one or more operations in the set of operations represented by the definition of the predetermined event.

Nishizawa, Spitz, and Alley further fail to disclose the above-recited feature of claim 1. Accordingly, Applicants respectfully submit that Ludwig, Nishizawa, Spitz, and Alley fails to disclose, either individually or in combination, each and every claim limitation recited in amended claim 1.

Applicants respectfully submit that independent claims 11, 18, and 25 are allowable for at least a similar rationale as discussed above for the allowability of claim 1, and others.

For example, amended claim 25 recites the features of "receiving information defining one or more events associated with an industrial process, each event in the one or more events indicative of a set of one or more operations to be performed to accomplish a task in the industrial process" and "storing data in the database in a plurality of different database tables in response to execution of one or more operations associated with the one or more events, the data related to the execution of the one or more operations." As further recited in amended claim 25, an electronic record is generated in response to an occurrence of a predetermined event in the one or more events from at least a portion of the data stored in the plurality of different database tables. An instance of the electronic record is then stored as recited in amended claim 25 as a well-formed XML document that tracks the predetermined event in a common repository of electronic records that provides an audit trail that cannot be altered or disabled by users associated with the database.

Applicants respectfully submit that dependent claims 2-10, 12-17, and 19-24 that depend directly and/or indirectly from the independent claims 1, 11, and 25 respectively, are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

Unless otherwise specified, amendments to the claims are made for the purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof.

While Applicants do not necessarily agree with the prior art rejections set forth in the Office Action, these amendments may be made to expedite issuance of the Application. Applicants reserve the right to pursue claims to subject matter similar to those pending before the present Amendment in co-pending or subsequent applications.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

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